

United States District Court
District of Massachusetts

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	
)	Criminal No.
SAMUEL MONTROND,)	09-10278-NMG
)	
Defendant.)	
_____)	

MEMORANDUM & ORDER

GORTON, J.

Defendant Samuel Montrond is charged with three counts of the distribution of cocaine base and aiding and abetting in violation of 28 U.S.C. § 841(a)(1) and 18 U.S.C. § 2. After convening a detention hearing in January, 2010, Magistrate Judge Hillman found that 1) the defendant posed a danger to the community and a risk of flight and 2) there were no conditions that could reasonably assure his appearance in court and the safety of the community. In accordance with that finding, the Magistrate Judge ordered that the defendant be detained pending trial. See 18 U.S.C. § 3142(e).

The defendant has moved this Court for reconsideration of the Magistrate Judge's detention order. He requests that the Court impose conditions on him similar to those placed on his brother and co-defendant, Bruno Montrond, who was released on an unsecured bond to the custody of his wife. This Court convened a

hearing on the defendant's motion on June 2, 2010, and now publishes a Memorandum and Order denying that motion.

Magistrate Judge Hillman conducted a thorough evidentiary hearing and his findings were fully supported by the record. The circumstances have not changed since the Magistrate Judge made his ruling and, therefore, this Court will not overturn it.

The defendant's motion to expand the record to incorporate letters from his family and fiancée will also be denied. There is no reason why the defendant could not have submitted those letters to the Magistrate Judge at the detention hearing and, accordingly, the Court will not admit them now. An additional evidentiary hearing is unnecessary. The testimony of the defendant's fiancée, Elizabeth Fontes-Nunes, could have been (but was not) presented to the Court by affidavit appended to the defendant's motion for reconsideration.

ORDER

In accordance with the foregoing, Defendant's motions to reconsider (Docket No. 47) and to expand the detention record (Docket No. 60) are **DENIED**.

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated June 3, 2010